

(B) PRESUMPTIONS.—Any identification by the Secretary of a preferred course of action relating to a lease sale, and any analysis by the Secretary of environmental effects, under this Act shall be presumed to be correct unless proven otherwise by clear and convincing evidence.

(b) LIMITATION ON OTHER REVIEW.—Any action of the Secretary that is subject to judicial review under this section shall not be subject to judicial review in any civil or criminal proceeding for enforcement.

#### SEC. 8. LOCAL GOVERNMENT IMPACT AID AND COMMUNITY SERVICE ASSISTANCE.

(a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—The Secretary shall establish in the Treasury a fund to be known as the “Coastal Plain Local Government Impact Aid Assistance Fund” (referred to in this section as the “Fund”) to offset any planning, land use-related, or service-related impacts of offshore development caused by this Act.

(2) DEPOSITS.—The Secretary of the Treasury shall deposit into the Fund, \$15,000,000 each year from the amount available under section 9(1).

(b) ASSISTANCE.—The Governor of Alaska, in cooperation with the Mayor of the North Slope Borough, shall use amounts in the Fund to provide assistance to the North Slope Borough, Alaska, the City of Kaktovik, Alaska, and any other borough, municipal subdivision, village, or other community in the State of Alaska that is directly impacted by exploration for, or the production of, oil or gas on or near the Coastal Plain under this Act, or any Alaska Native Regional Corporation acting on behalf of the villages and communities within its region whose land lies along the right of way of the Trans Alaska Pipeline System, as determined by the Governor.

(c) APPLICATION.—

(1) IN GENERAL.—To receive assistance under subsection (b), a community or Regional Corporation described in that subsection shall submit to the Governor, or to the Mayor of the North Slope Borough, an application in such time, in such manner, and containing such information as the Governor may require.

(2) ACTION BY NORTH SLOPE BOROUGH.—The Mayor of the North Slope Borough shall submit to the Governor each application received under paragraph (1) as soon as practicable after the date on which the application is received.

(3) ASSISTANCE OF GOVERNOR.—The Governor shall assist communities in submitting applications under this subsection to the maximum extent practicable.

(d) USE OF FUNDS.—A community or Regional Corporation that receives funds under subsection (b) may use the funds—

(1) to plan for mitigation, implement a mitigation plan, or maintain a mitigation project to address the potential effects of oil and gas exploration and development on environmental, social, cultural, recreational, and subsistence resources of the community;

(2) to develop, carry out, and maintain—

(A) a project to provide new or expanded public facilities; or

(B) services to address the needs and problems associated with the effects described in paragraph (1), including firefighting, police, water and waste treatment, first responder, rescue, and other medical services;

(3) to compensate residents of the Coastal Plain or nearby waters for significant damage to environmental, social, cultural, recreational, or subsistence resources; and

(4) in the City of Kaktovik, Alaska—

(A) to develop a mechanism for providing members of the Kaktovikmiut Inupiat community an opportunity—

(i) to monitor development in or near the Coastal Plain; and

(ii) to provide information and recommendations based on traditional knowledge; and

(B) to establish a local coordination office, to be managed by the Mayor of the North Slope Borough, in coordination with the City of Kaktovik, Alaska—

(i) to coordinate with and advise developers on local conditions and the history of areas affected by development;

(ii) to collect from residents of the Coastal Plain information regarding the impacts of development on fish, wildlife, whales, other marine mammals, habitats, subsistence resources, and the environment of the Coastal Plain; and

(iii) to ensure that the information collected under clause (ii) is submitted to any appropriate Federal agency.

#### SEC. 9. ALLOCATION OF REVENUES.

(a) IN GENERAL.—Notwithstanding any other provision of law, of the amount of adjusted bonus, rental, and royalty revenues from Federal oil and gas leasing and operations authorized under this Act—

(1) 50 percent shall be paid semiannually to the State of Alaska; and

(2) 50 percent shall be allocated in accordance with subsection (b).

(b) ALLOCATION OF FEDERAL FUNDS.—Any amounts made available under subsection (a)(2), plus an appropriated amount equal to the amount of Federal income tax attributable to sales of oil and gas produced from operations described in subsection (a), shall be deposited in an account in the Treasury which shall be available, without further appropriation or fiscal year limitation, each fiscal year as follows:

(1) \$15,000,000 shall be deposited by the Secretary of the Treasury into the Fund created under section 8(a)(1).

(2) The remainder shall be available as follows:

(A) 50 percent shall be available to the Department of Energy to carry out alternative energy programs established under the Energy Policy Act of 2005 (42 U.S.C. 15801 et seq.), the Energy Independence and Security Act of 2007 (42 U.S.C. 17001 et seq.), or an amendment made by either of those Acts, as determined by the Secretary of Energy.

(B) 25 percent shall be available to the Department of the Interior for award to wildlife habitat and fish and game programs authorized by the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) and the Dingell-Johnson Sport Fish Restoration Act (commonly known as the “Wallop-Breaux Act”) (16 U.S.C. 777 et seq.).

(C) 25 percent shall remain in the general fund of the Treasury.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 59—DESIGNATING APRIL 4, 2009, AS “NATURAL ASSOCIATION OF JUNIOR AUXILIARIES DAY”

Mrs. LINCOLN (for herself and Mr. WICKER) submitted the following resolution; which was considered and agreed to:

S. RES. 59

Whereas the National Association of Junior Auxiliaries and its members provide valuable service and leadership opportunities for women who wish to take an active role in their communities;

Whereas the mission of the National Association of Junior Auxiliaries is to encourage member chapters to render charitable services that are beneficial to the general public,

with a particular emphasis on providing for the needs of children; and

Whereas, since its founding in 1941, the National Association of Junior Auxiliaries has provided strength and inspiration to women who want to effect positive change in their communities: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 4, 2009, as “National Association of Junior Auxiliaries Day”;;

(2) recognizes the great contributions made by members of the National Association of Junior Auxiliaries to their communities and to the people of the United States; and

(3) especially commends the work of the members of the National Association of Junior Auxiliaries to better the lives of children in the United States.

#### NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to correct the notice of a hearing before the Committee on Energy and Natural Resources previously announced on February 24.

The hearing will be a legislative hearing, rather than an oversight hearing. It will focus on draft legislative proposals on energy research and development.

In addition, the hearing will be held in SH-216, rather than in SD-366.

The hearing will still be held on Thursday, March 5, 2009, at 9:30 a.m.

#### SCHOOL SOCIAL WORK WEEK

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 58 and the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 58) designating the week of March 1 through March 8, 2009, as “School Social Work Week.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 58) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 58

Whereas the Senate has recognized the importance of school social work through the inclusion of school social work programs in the current authorizations of the Elementary and Secondary Education Act of 1965 (20